

GEO. F. MEANS.

[To accompany Bill H. R. No. 517.]

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MARCH 30, 1860.

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MR. HELMICK, from the Committee on Post Offices and Post Roads,  
made the following

### REPORT.

*The Committee on Post Offices and Post Roads, to whom was referred  
the petition of George F. Means, beg leave to submit the following  
report:*

The petitioner represents that he contracted with the Post Office Department to carry the mails on routes Nos. 4243 and 4244, in the State of Virginia, to commence the 1st day of July, 1859; that on that day, in pursuance of that contract, he commenced to carry the mails on said routes, and continued to carry the same until the 1st day of January, 1860, when he threw up the contract and abandoned the service, for the reason that the department failed to pay him anything for his services, and he was unable to perform the service any longer without pay, and was driven to the necessity of abandoning the service; that the department alleged as a reason for not paying him that Congress failed to pass the post office appropriation bill, and the department was therefore unable to pay.

The petitioner further represents that after the passage of the post office appropriation bill, he called on the department and demanded the pay that was due him for his said services, to wit, the sum of one thousand and twenty dollars, which payment was refused by the said department, on the ground that he had abandoned the contract. These facts are admitted by the Post Office Department, and there is therefore no difficulty to aim at a conclusion.

The committee are of opinion that, as the contract was a mutual one between the contracting parties, the petitioner contracting to carry the mails and the Post Office Department contracting to pay for the same in quarterly payments, and that, failing to comply on the part of the department, the petitioner was justifiable under the circumstances in abandoning the contract, and is entitled to receive his pay *pro rata* for the time he performed the service, amounting to the sum of one thousand and twenty dollars; and the committee report a bill for that amount, with a recommendation that it do pass.

REPORT  
OF THE

COMMISSIONERS OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION OF THE SENATE

PASSED FEBRUARY 11, 1879

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